

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO
RENAUD BELHOMME,

Plaintiff,
vs.
THE DOWNS OF ALBUQUERQUE, INC.,
ATLAS TEMPORARY SERVICE, INC.,
DAN COOK, General Manager,

No. CIV 05-0687 RB/RLP

Defendants.

MEMORANDUM OPINION AND ORDER

THIS MATTER came before the Court for consideration of Plaintiff's "Post-trial Omnibus Special Speaking Restorative Motion to Alter/Amend Judgment for New Trial and Relief from Judgment" (Doc. 38), filed on March 6, 2006. This matter was dismissed for failure to state a claim on February 7, 2006. Plaintiff's Motion for the Court to Grant Plaintiff Rehearings and Continuances, filed on February 17, 2006, was denied on February 22, 2006.

A motion to reconsider filed within ten days after a case is dismissed is considered a motion under Rule 59(e). *See Van Skiver v. United States*, 952 F.2d 1241, 1243 (10th Cir. 1991). Grounds warranting a motion to reconsider include (1) an intervening change in the controlling law, (2) new evidence previously unavailable, and (3) the need to correct clear error or prevent manifest injustice. *Brumark Corp. v. Samson Resources Corp.*, 57 F.3d 941, 948 (10th Cir. 1995). Plaintiff advances no grounds that warrant reconsideration. Thus, Plaintiff's motion will be denied.

IT IS ORDERED.



ROBERT C. BRACK
UNITED STATES DISTRICT JUDGE